

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**DARRYL BROOKS**

**Plaintiff,**

**-vs-**

**Case No. 3:03-CV-441**

**MONTGOMERY COUNTY,  
OHIO, et al.,**

**Judge Thomas M. Rose**

**Defendants.**

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**ORDER OF DISMISSAL: TERMINATION ENTRY**

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The Court having been advised by counsel for the Parties that the above captioned matter has been settled, IT IS ORDERED that this action is hereby DISMISSED, with prejudice as to the Parties, provided that any of the Parties may, upon good cause shown within sixty (60) days, reopen this action if settlement is not consummated.

Parties intending to preserve this Court's jurisdiction to enforce the settlement should be aware of *Kokkonen v. Guardian Life Insurance Company of America*, 114 S.Ct. 1673 (1994), and incorporate appropriate language in any substituted judgment entry. This Court will retain jurisdiction to enforce the terms of the settlement between the Parties, if necessary.

**DONE and ORDERED** in Dayton, Ohio, this Fifteenth day of May, 2006.

s/Thomas M. Rose

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**THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE**

Copies furnished to:

Counsel of Record